

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

CLIFTON D. TUELL,)
)
Petitioner,)
)
v.) Case No. CIV-16-92-D
)
BLANE COUNTY COURTS,)
)
Respondent.)

O R D E R

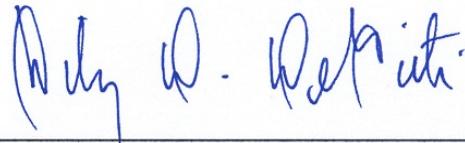
This matter is before the Court for review of the Report and Recommendation [Doc. No. 12] issued March 16, 2016, by United States Magistrate Judge Gary M. Purcell pursuant to 28 U.S.C. § 636(b)(1)(B). Judge Purcell recommends a dismissal pursuant to 28 U.S.C. §§ 1915A(b) and 1915(e)(2)(B) on the basis of immunity and failure to state a viable claim for relief against Respondent. Judge Purcell further recommends that the dismissal of this action count as a “strike” against Petitioner pursuant to 28 U.S.C. § 1915(g).

A review of the case file reflects that Petitioner has neither filed a timely objection to the Report nor requested additional time to object.¹ Therefore, the Court finds that Petitioner has waived further review of the issues addressed in the Report. Additionally, for the reasons stated by Judge Purcell in his Report, the Court finds that the dismissal of this action shall count as a “strike” against Petitioner.

¹ Plaintiff filed a “Letter” [Doc. No. 13] with the Court on March 28, 2016. Although Plaintiff’s letter makes what the Court construes as a reference to the objection deadline, Plaintiff failed to articulate an objection to the Report. *See Pl.’s Ltr. [Doc. No. 13]* at 1 (“But I do know that I’m out of time on this to let you all know what’s up on this case.”).

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 12] is ADOPTED in its entirety. Petitioner's action against Respondent Blane County Courts is hereby DISMISSED. Because no other claims remain pending, a separate judgment of dismissal shall be entered.

IT IS SO ORDERED this 13th day of April, 2016.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE